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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/810,658	03/19/2001	Toshiaki Takaoka	04329.2539	9026

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EXAMINER

DANG, KHANH NMN

ART UNIT	PAPER NUMBER
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2181

DATE MAILED: 08/13/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/810,658

Applicant(s)

TAKAOKA ET AL.

Examiner

Khanh Dang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-8 are directed to an apparatus. However, the essential structural cooperative relationships between elements recited in the claims have been omitted, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01.

In claim 1, it is unclear from the language of the claim whether the so-called "third external interface" is an independent interface or just one of the "first external interface" and "second external interface."

In claim 8, lines 15-16, "said second determination means" lacks antecedent basis. It is unclear what it may refer to.

Claims 9-14 are also directed to an apparatus. However, the essential structural cooperative relationships between elements recited in the claims have been omitted, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01.

In claim 9, line 27, "the an" is a typing error.

Also, in claim 1, it is unclear from the language of the claim whether the so-called "third external interface" is an independent interface or just one of the "first external interface" and "second external interface."

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 9-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Oguma.

At the outset, it is first noted that similar claims will be grouped together to avoid repetition in explanation.

As broadly drafted, these claims do not define any structure/step that differs from Oguma. With regard to claims 1, 9, and 12, Oguma discloses a mobile communication terminal device comprising: an external connector having a predetermined terminal arrangement structure (5); a first external interface (interface between 5 and 6) sending and receiving a signal in accordance with a first protocol via the external connector between the mobile communication terminal device itself and an external device (6, for example); a second external interface (at HUB 2) sending and receiving a signal in accordance with a second protocol being different from the first protocol via the external connector between the mobile communication terminal device itself and an external

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device; first determination means (64, for example) for determining a third external interface (see also Figs. 1 and 3; and description thereof) incorporated in the external device to be connected to the external connector; and an interface selection means (see Fig. 3 and description thereof; particularly BMC 62 connected to HUB 63) for selecting an external interface corresponding to the third external interface from the first and second external interfaces based on a determination result of the first determination means. With regard to claim 2, it is clear from at least Figs. 1 and 3 that a part of terminals of the external connector is shared with the first external interface and the second external interface. With regard to claims 3 and 10, the first determination means (64, for example) detects a voltage value output from a specific terminal via external connector when an external device is connected to the external connector to determine a third interface incorporated in the external devices. With regard to claims 4 and 11, the first determination means (64) detects an identification signal pattern output from a specific terminal via the external connector when an external device is connected to the external connector to determine a third interface incorporated in the external device. See Fig. 3 and description thereof.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oguma.

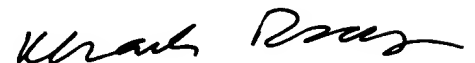
Oguma, as explained above, discloses the claimed invention. However, Oguma does not disclose a "display means" for displaying results obtained from "determination means" 64. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Oguma with "display means" for the purpose of displaying results obtained from "determination means" 64, since the Examiner takes Official Notice that such "display means" is old and well-known; and providing such "display means" to a mobile device (a mobile phone, for example) or a computer only involves routine skill in the art.

Allowable Subject Matter

Claims 6, 7, 13, and 14 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

U.S. Patent No. 6,141,719 to Rafferty et al. are cited as relevant art.

Any inquiry concerning this communication should be directed to Khanh Dang at telephone number 703-308-0211.



Khanh Dang
Primary Examiner